

sUNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

LA UNION DEL PUEBLO ENTERO, et al., §	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	5:21-CV-0844-XR
	§	(Consolidated Cases)
GREGORY ABBOTT, et al.	§	
<i>Defendants.</i>	§	

---

**DEFENDANT TRAVIS COUNTY DISTRICT ATTORNEY JOSÉ GARZA’S  
UNOPPOSED SECOND MOTION FOR EXTENSION OF TIME TO FILE ANSWER TO  
PLAINTIFFS’ LA UNIÓN DEL PUEBLO ENTERO, FRIENDSHIPWEST BAPTIST  
CHURCH, THE ANTI- DEFAMATION LEAGUE AUSTIN, SOUTHWEST, AND  
TEXOMA REGIONS, SOUTHWEST VOTER REGISTRATION EDUCATION  
PROJECT, TEXAS IMPACT, MEXICAN AMERICAN BAR ASSOCIATION OF  
TEXAS, TEXAS HISPANICS ORGANIZED FOR POLITICAL EDUCATION, JOLT  
ACTION, WILLIAM C. VELASQUEZ INSTITUTE, FIEL HOUSTON, INC., AND  
JAMES LEWIN’S SECOND AMENDED COMPLAINT FOR DECLARATORY AND  
INJUNCTIVE RELIEF [ECF NO. 208]**

---

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant Travis County District Attorney José Garza (“District Attorney Garza”) and files this Unopposed Second Motion for Extension of Time to File Response to LUPE Plaintiffs’ Second Amended Complaint (ECF No. 208) and in support thereof states as follows:

**I.**

LUPE Plaintiffs filed their Second Amended Complaint for Declaratory and Injunctive Relief on January 25, 2022 (ECF No. 208). District Attorney Garza was served with the Second Amended Complaint on February 8, 2022. District Attorney Garza completed a Waiver of Service [ECF No. 236], pursuant to which, by agreement, the original deadline for his response

to the Second Amended Complaint was February 25, 2022. The Court granted District Attorney Garza's (First) Unopposed Motion for Extension of Time (ECF No. 288), making his current answer due March 4, 2022.

District Attorney Garza respectfully requests that the Court grant a five (5) business-day extension of time to file his Response to LUPE Plaintiffs' Second Amended Complaint. District Attorney Garza does not seek this motion for delay, but for good cause. This motion will not prejudice Plaintiffs as they do not oppose the relief requested. This extension is necessary to permit District Attorney Garza and his counsel sufficient time to further explore the appropriate responsive pleading to be filed on behalf of District Attorney Garza at this time. The extension of time is warranted in the interest of justice, and to conserve the resources of the parties.

Pursuant to Local Rule CV-7(i), counsel for District Attorney Garza has conferred with Plaintiffs' counsel regarding the relief requested in the Motion. Plaintiffs do not oppose this extension.

## II. CONCLUSION

For the foregoing reasons, the Court should grant District Attorney Garza's unopposed motion for extension of time for his Response, up to and including March 11, 2022.

Respectfully submitted,  
**DELIA GARZA**  
County Attorney, Travis County  
P. O. Box 1748  
Austin, Texas 78767  
Telephone: (512) 854-9513  
Facsimile: (512) 854-4808

SHERINE E. THOMAS  
State Bar No. 00794734  
[Sherine.Thomas@traviscountytexas.gov](mailto:Sherine.Thomas@traviscountytexas.gov)  
LESLIE W. DIPPEL  
State Bar No. 00796472  
[Leslie.Dippel@traviscountytexas.gov](mailto:Leslie.Dippel@traviscountytexas.gov)

By: /s/ Anthony J. Nelson  
Anthony J. Nelson  
State Bar No. 14885800  
[Tony.Nelson@traviscountytx.gov](mailto:Tony.Nelson@traviscountytx.gov)  
Patrick T. Pope  
State Bar No. 24079151  
[Patrick.Pope@traviscountytx.gov](mailto:Patrick.Pope@traviscountytx.gov)

**ATTORNEYS FOR DEFENDANT  
JOSÉ GARZA, IN HIS OFFICIAL CAPACITY  
AS TRAVIS COUNTY DISTRICT ATTORNEY**

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of this motion was served through the Court's CM/ECF Document Filing System upon each attorney of record and the original upon the Clerk of Court on this the 4th day of March, 2022.

/s/ Anthony J. Nelson  
ANTHONY J. NELSON  
Assistant County Attorneys

### **CERTIFICATE OF CONFERNCE**

I certify that on March 4, 2022, counsel for Travis County District Attorney José Garza conferred with Plaintiffs' counsel, regarding the filing of Travis County District Attorney José Garza's Unopposed Second Motion for Extension of Time to File Response to Plaintiffs' Complaint. Counsel for Plaintiffs indicated they are UNOPPOSED to this motion.

/s/ Anthony J. Nelson  
ANTHONY J. NELSON  
Assistant County Attorney